

Perspectives on Colorado Water Efficiency

**Washington State Joint Legislative Task
Force on Water Resource Mitigation
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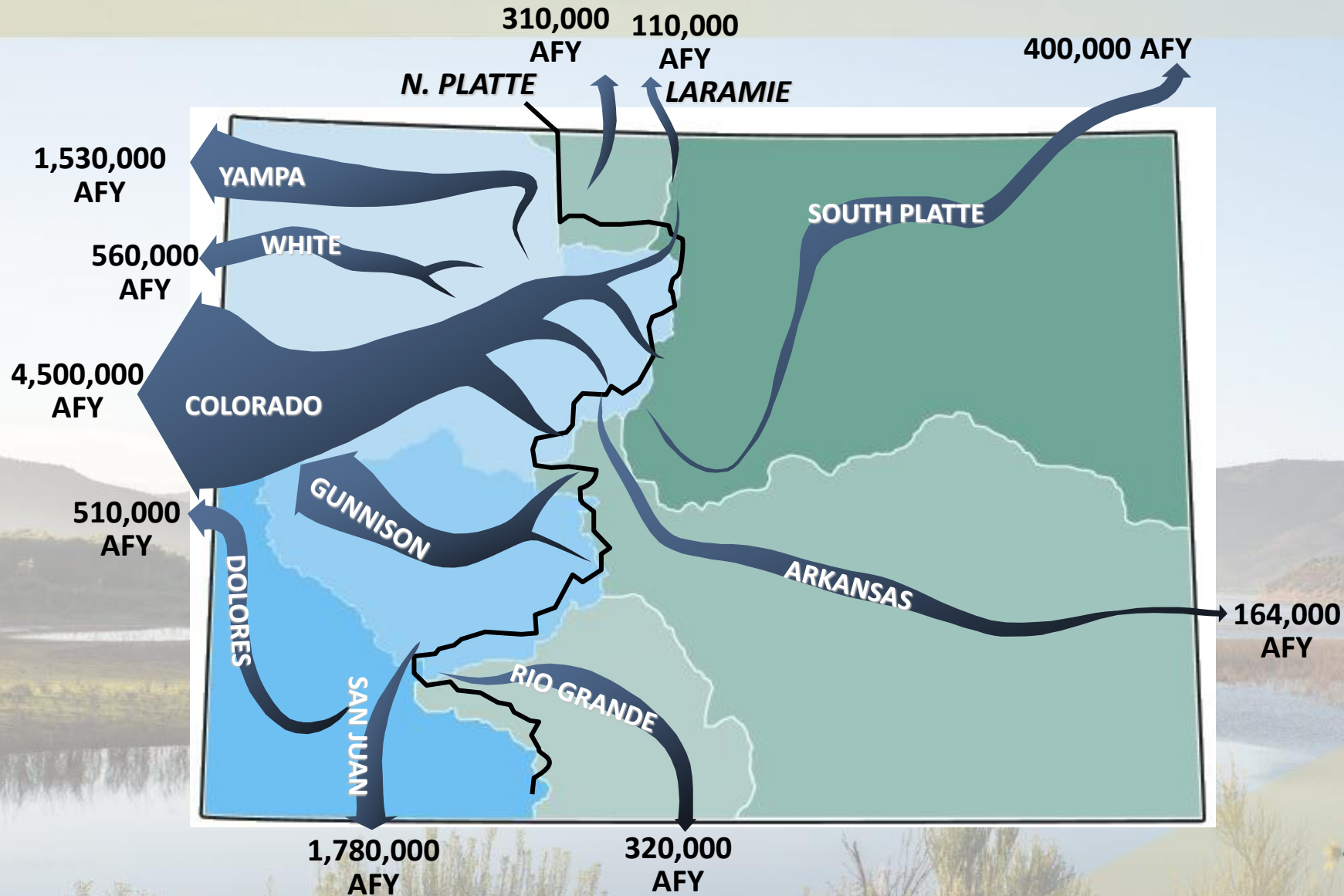
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State Context

- Doctrine of Prior Appropriation
- Administers water in time of scarcity
- First in time – first in right
- Colorado Water Court System
- Beneficial Use – no waste
- Consumptive and Non-consumptive
- Ground Water and Surface Water
- **Very much a local control state**



Colorado – a headwater state



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Colorado Water Conservation Board (CWCB)



- State Water Policy and Planning Agency
- Not a regulatory agency
- Touch many different sectors
- Self funded through our Water Loan Program
- 50 person agency



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Different compliance structures

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Compliance
through access to
state funding

Incentive based

Cooperation based

Colorado
Department
of Public
Health &
Environment

Compliance through fines
and punitive measures

Safe Drinking Water Act
and Clean Water Act

Regulation based



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Water Efficiency Statutes-Colorado Water Conservation Board(CWCB)

- C.R.S. 37-60-124
 - Established the Office of Water Conservation and Drought Planning
- C.R.S. 37-60-126
 - Contains requirements for water efficiency plans, annual data reporting, integration of water efficiency and land use, and the Water Efficiency Grant Fund
- C.R.S. 37-60-115
 - Authorization of rainwater harvesting pilot projects
- C.R.S. 37-97-103
 - Mandatory use of metered delivery and billing systems



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Water Efficiency Statutes-CWCB

- 6-7.5-101 Consumer and Commercial Affairs Energy and Water Conservation Article 7.5 - Water Efficiency
 - Basically does not allow the sale of inefficient indoor water fixtures in Colorado
- C.R.S. 30-28-106 Local Governments Water Elements in Master Plans
 - States that if you have a water element in your comprehensive plan you must include water conservation policies
 - This isn't a punitive regulation per se but can be enforced through funding access by the Department of Local Affairs



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Water Efficiency Planning

- Sets out a required set of elements that must be fully evaluated when creating a plan
- Plans must be revised, submitted to and approved by the CWCB every 7 years
- A newer element in 2016 requires water providers to evaluate
 - “best management practices for water demand management, water efficiency, and water conservation that may be implemented through land use planning efforts”



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1051 Annual Reporting

- Water providers required to submit annual water demand and water conservation data to the CWCB
 - Population
 - annual water produced
 - monthly customer category metered water consumption
 - current rate structure
 - integration of water and land use planning
 - water conservation programs
 - expenditures on water conservation of programs and staff



Water Reuse Statutes-Colorado Department of Public Health and Environment (CDPHE)

- 5 CCR 1002-84 – “Regulation 84”- Colorado Water Quality Control Commission Reclaimed Water Control Regulation
 - This covers all non-potable uses including (just recently) edible food crops
 - Colorado has a lot of “de facto” indirect potable reuse
- 5 CCR 1002-86 – “Regulation 86”- Graywater Control Regulation
 - Set standards for graywater use for health and human safety
 - Voluntary-must be adopted locally
- 5 CCR 1002-11- “Regulation 11”-Colorado Primary Drinking Water Regulations
 - This will cover Direct Potable Reuse
 - Rulemaking happening now and hopefully will conclude in 2023



Colorado Water Plan

Conservation

Colorado's Water Plan sets a measurable objective to achieve 400,000 acre-feet of municipal and industrial water conservation by 2050.

Land use

Colorado's Water Plan sets a measurable objective that by 2025, 75 percent of Coloradans will live in communities that have incorporated water-saving actions into land-use planning.



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Colorado Water Plan Grants

- Conservation and Land Use

- Land use/water trainings and guidance
- Large scale landscape retrofits
- Landscape professional training
- Greywater/new home pilot demonstration project
- Direct potable reuse regulations/demo projects
- Denver One Water Plan



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Colorado Water Plan Grants

- \$15m for funding projects that attain measurable objectives of Colorado's Water Plan for FY 20-21 (all grant categories)
- To date, CWCB has received \$53m for Water Plan Grants
- Conservation and Land Use category has received over \$5m and allocated \$3.8m for projects
- Funded 32 Conservation and Land Use grants since August 2017



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Colorado Water Plan Grants

- Proposition DD
- Revenue from Sports Betting will support the Water Plan Grant Program on an ongoing basis
- Department of Revenue (DOR) will collect the revenue and will make an annual transfer into the Water Plan Implementation Cash Fund annually in fall (after the previous fiscal year close out is completed and revenues are tallied).



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Colorado (CWCB) Perspective

- Cooperative-Collaborative
- Incentive based
- Regulation when it comes to water rights and water quality; less regulation related to water efficiency
- Preparing for future regulations



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THANK YOU

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